

LPDES PERMIT NO. LA0050962, AI No. 19276

LPDES FACT SHEET and RATIONALE  
FOR THE DRAFT LOUISIANA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
(LPDES) PERMIT TO DISCHARGE TO WATERS OF LOUISIANA

I. Company/Facility Name: Shell Chemical LP  
Norco-Cypress Site  
Post Office Box 10  
Norco, Louisiana 70079

II. Issuing Office: Louisiana Department of Environmental Quality  
(LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

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Date Prepared: April 15, 2009

IV. Permit Action/Status:

A. Reason For Permit Action:

Proposed reissuance of an expired Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term following regulations promulgated at LAC 33:IX.2711/40 CFR 122.46.

LAC 33:IX Citations: Unless otherwise stated, citations to LAC 33:IX refer to promulgated regulations listed at Louisiana Administrative Code, Title 33, Part IX.

40 CFR Citations: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations in accordance with the dates specified at LAC 33:IX.2301, 4901, and 4903.

B. LPDES permit - LPDES permit effective date: February 1, 2004  
LPDES permit expiration date: January 31, 2009  
EPA has not retained enforcement authority.

C. Application received on July 28, 2008. Additional information received on December 3, 2008 and December 22, 2008. Additional information received via e-mail on April 17, 2009 and April 20, 2009.

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### V. Facility Information:

A. Location - 15536 River Road in Norco, St. Charles Parish.  
 (Latitude 29°59'45", Longitude 90°24'35")

B. Applicant Activity -

According to the application, Shell Chemical LP, Norco-Cypress Site, is a former polypropylene manufacturing facility. The permittee acquired this facility from Union Carbide Corporation (UCC) in December 2008. UCC ceased operations at this facility in December 2007 and removed all process chemicals from the site as of April 2008. As part of the decommissioning effort, process areas and equipment were cleaned in preparation for demolition. To date, process and utility wastewaters are no longer generated at the site and the demolition of the plant was completed in November 2008. All sanitary wastewater generated at this site will continue to be pumped off-site for treatment.

C. Technology Basis - (40 CFR Chapter 1, Subchapter N/Parts 401, 405-415, and 417-471 have been adopted by reference at LAC 33:IX.4903)

Guideline

N/A

Reference

N/A

Other sources of technology based limits:

LDEQ Stormwater Guidance, letter dated 6/17/87, from J. Dale Givens (LDEQ) to Myron Knudson (EPA Region 6).  
 Best Professional Judgement

D. Fee Rate -

1. Fee Rating Facility Type: Major
2. Complexity Type: II - set based on BPJ since the facility is no longer discharging process wastewater and has completed demolition of the plant.
3. Wastewater Type: III
4. SIC code: formerly 2821

### VI. Receiving Waters: Mississippi River

STREAM - Mississippi River

BASIN AND SUBSEGMENT - Mississippi River, Subsegment No. 070301

DESIGNATED USES - a. primary contact recreation  
 b. secondary contact recreation  
 c. fish and wildlife propagation  
 d. drinking water supply

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### VII. Outfall Information:

#### Outfall 001

- A. Type of wastewater - non-process area stormwater runoff
- B. Location - At the point of discharge from the Front Pond prior to combining with the treated effluent of Shell Chemical LP and Motiva Enterprises, LLC at Latitude 30°00'40", Longitude 90°23'60".
- C. Treatment - None
- D. Flow - Intermittent, 1.10 MGD (30-Day Max)
- E. Receiving waters - Mississippi River
- F. Basin and subsegment - Mississippi River Basin, Subsegment No. 070301

### VIII. Proposed Permit Limits:

#### Summary of Proposed Changes From the Current LPDES Permit:

- A. On December 1, 2008, the permittee's name changed from Union Carbide Corporation, Cypress Plant Polypropylene Facility to Shell Chemical LP, Norco-Cypress Site.
- B. The complexity designation will be changed from "VI" to "II" since the permittee no longer discharges process wastewater and has completed demolition of the plant. The wastewater water type was changed from a "Type II" to a "Type III" based on the Water Regulations for stormwater discharges.

#### C. Outfall 001

The outfall description will be changed from "process wastewater and process area stormwater, cooling water tower blowdown, hydrotest water, water from construction activities, hydroblast water, fire water, deluge system test water, miscellaneous utility water, and non-process area stormwater runoff from neighboring facilities (LP&L and Shell Chemical, LP)" to "non-process area stormwater runoff" in the draft permit.

The permittee is proposing to discharge only non-process area stormwater runoff from this outfall which will include stormwater drainage from Shell and Entergy properties. This outfall was previously permitted to discharge process-related wastewaters, utility wastewaters, and non-process area stormwater runoff. However, these wastewaters have been eliminated (with the exception

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of the non-process area stormwater runoff) due to the facility's cessation of operations. Therefore, the limits and monitoring requirements established in the current permit based on the guidelines at 40 CFR 414 will be removed and are no longer applicable. Limits and monitoring requirements for TOC, Oil and Grease, and pH will be established at this outfall by BPJ using the LDEQ Stormwater Guidance. The monitoring frequency will be once per quarter using a grab sample.

The biomonitoring requirements for this outfall will be removed from the draft permit based on the following: (1) this facility's discharges will only be comprised of non-process area stormwater runoff discharges and (2) sample data from the 2008 Application demonstrating values below the minimum quantification level (MQL) for all parameters tested.

- D. Part II Conditions for stormwater discharges associated with industrial activities will be established in the draft permit.
- E. The provision in the Part II conditions that required submittal of DMRs to the Southeast Regional Office will be removed from the draft permit. All DMRs sent to the Office of Environmental Compliance/Permit Compliance Unit are scanned into the Electronic Document Management System (EDMS) which is accessible to all LDEQ personnel.

### IX. Permit Limit Rationale:

The following section sets forth the principal facts and the significant factual, legal, methodological, and policy questions considered in preparing the draft permit. Also set forth are any calculations or other explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guideline or performance standard provisions as required under LAC 33:IX.2707/40 CFR Part 122.44 and reasons why they are applicable or an explanation of how the alternate effluent limitations were developed.

#### A. TECHNOLOGY-BASED VERSUS WATER QUALITY STANDARDS-BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at LAC 33:IX.2707.L.2.b/40 CFR Part 122.44(l)(2)(ii), the draft permit limits are based on either technology-based effluent limits pursuant to LAC 33:IX.2707.A/40 CFR Part 122.44(a) or on State water quality standards and requirements pursuant to LAC 33:IX.2707.D/40 CFR Part 122.44(d), whichever are more stringent.

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### B. TECHNOLOGY-BASED EFFLUENT LIMITATIONS, CONDITIONS, AND MONITORING REQUIREMENTS

Regulations promulgated at LAC 33:IX.2707.A/40 CFR Part 122.44(a) require technology-based effluent limitations to be placed in LPDES permits based on effluent limitations guidelines where applicable, on BPJ (best professional judgement) in the absence of guidelines, or on a combination of the two. The following is a rationale for types of wastewaters. See outfall information descriptions for associated outfall(s) in Section VII. Regulations also require permits to establish monitoring requirements to yield data representative of the monitored activity [LAC 33:IX.2715/40 CFR 122.48(b)] and to assure compliance with permit limitations [LAC 33:IX.2707.I./40 CFR 122.44(I)].

#### 1. Outfall 001 - non-process area stormwater runoff

These discharges shall receive the following limits and monitoring requirements:

PARAMETER(S)	MASS, LBS/DAY unless otherwise stated		CONCENTRATION, MG/L unless otherwise stated		MEASUREMENT FREQUENCY
	MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM	
Flow, MGD	Report	Report	---	---	1/quarter
TOC	---	---	---	50	1/quarter
Oil & Grease	---	---	---	15	1/quarter
pH Standard Units	---	---	6.0 (min)	9.0 (max)	1/quarter

#### Site-Specific Consideration(s)

Flow - monitoring requirements are established in accordance with LAC 33:IX.2707.I.1.b.

TOC and Oil and Grease - limits are established by BPJ using the LDEQ Stormwater Guidance.

pH - limits are established in accordance with LAC 33:IX.1113.C.1. These requirements are consistent with the current permit.

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### Storm Water Pollution Prevention Plan (SWP3) Requirements

In accordance with LAC 33:IX.2707.I.3 and 4 [40 CFR 122.44(I)(3) and (4)], a Part II condition is proposed for applicability to all storm water discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. For first time permit issuance, the Part II condition requires a Storm Water Pollution Prevention Plan (SWP3) within six (6) months of the effective date of the final permit. For renewal permit issuance, the Part II condition requires that the Storm Water Pollution Prevention Plan (SWP3) be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. If the permittee maintains other plans that contain duplicative information, those plans could be incorporated by reference to the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasures Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. The conditions will be found in the draft permit. Including Best Management Practice (BMP) controls in the form of a SWP3 is consistent with other LPDES and EPA permits regulating similar discharges of stormwater associated with industrial activity, as defined in LAC 33:IX.2522.B.14 [40 CFR 122.26(b)(14)].

### **TMDL Waterbodies**

Subsegment No. 070301 of the Mississippi River Basin is not listed on the 2006 Final Integrated 303(d) List as being impaired.

### **X. Compliance History/DMR Review:**

- A. LDEQ records were reviewed for the period of March 2007 through March 2009. No water enforcement actions were issued during this time period.
- B. A DMR review of the monitoring reports covering the monitoring period of March 2007 through March 2009 revealed that there were no effluent violations.
- C. The most recent inspection was conducted on March 16, 2009. No areas of concern were noted.

### **XI. Endangered Species:**

The receiving waterbody, Subsegment No. 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as a threatened and/or endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the

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FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

### XII. Historic Sites:

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

### XIII. Tentative Determination:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

### XIV. Variances:

No requests for variances have been received by this Office.

### XV. Public Notices:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the fact sheet. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List